



38/1633
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PATENT
Docket No. 398802000500

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Assistant Commissioner for Patents, Washington, D.C. 20231, on July 13, 1999.

Kathy Johnston
Kathy Johnston

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Richard ALLEN

Serial No.: 09/002,413

Filing Date: January 2, 1998

For: PIGMENTED RETINAL EPITHELIAL
CELLS FOR CREATION OF AN
IMMUNE PRIVILEGE SITE

Examiner: Michael C. Wilson

Group Art Unit: 1633

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**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in a Search Report mailed on April 13, 1999 (copy attached) directed to a counterpart international or foreign



application. Article by ~~Griffin~~ et al. was previously cited in an Information Disclosure Statement filed January 4, 1999 (Reference No. 2) and article by Jorgensen et al. was previously cited in a Supplemental Information Disclosure Statement filed April 5, 1999 (reference No. 4), therefore neither article is submitted herewith.

This Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☒ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional

information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 398802000500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 13, 1999

Respectfully submitted,

By: 

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